G. R. S. IX—5]

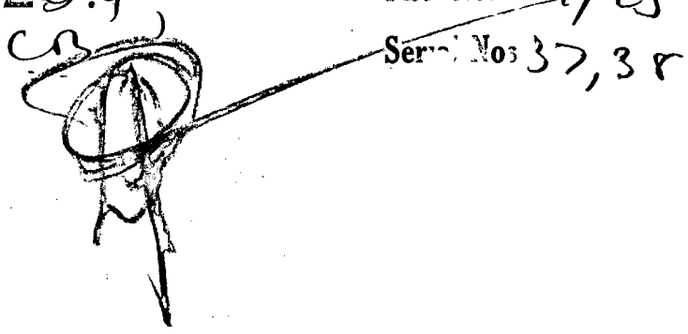
Previous references

CB 29-23-10213 (
CB 20-22-1104
CB. 66-17-1173

Later references

CB. 114-27-18 (Cmptl)

1928.4 (CB)



File No. 29/23

Serial Nos. 37, 38

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 37, 38

Part B for Sept. 1924

SUBJECT

Remuneration for professional services rendered by the Government Advocate on behalf of the Govt. in the Special Magistrate's enquiry held before ~~the Commissioner~~ First Grade, Bangalore.

To

The Comptroller, Mysore Govt.
The Govt. Advocate in Mysore.
The Chief Electrical Engineer in Mysore
The Secy., P. W. Deptt.

No. 557-60 Dy 1/9/24

Sanction is accorded as a special case the bill amounting to Rs 3370/— the charge being met from the budget of the Electric Department.

(1

G. R. S. III-2]

WD 2310—GPE—10,000—31-5-24

General and Revenue Secretariat

C. B. File No. 29 of 1923

Serial No.

Fin

The Govt Advocate's letter no 1578 & 4.8.24 forwards for sanction a bill for Rs 3,370/- being his remuneration for professional services rendered on behalf of Govt in connection with the proceedings instituted before the Special Magistrate, First Grade, Bangalore city against messrs S.D.S. Iyengar & B. R. Ramakrishna Iyengar.

2. under Rule 36 (a) of the Rules for the conduct of the legal affairs of Govt, the Govt Advocate is entitled to a fee not ordinarily exceeding Rs 25 a day unless a higher sum is sanctioned by Govt in consideration of the exceptional importance and difficulty of the case. For his services on behalf of Govt before the Commission of Enquiry, the Govt Advocate was given a fee of Rs 100 a day. He has now claimed the same rate for his services in the case before the Special Magistrate, First Grade, Bangalore.

Submitted for orders with references. The source for meeting the expenditure may have to be pointed out. The previous bill was met from the budget of the Electrical Deptt. This bill may be passed and the expenditure ordered to be met from the budget of the Electrical Deptt

8/18/24

(Chetty)

9.8.24

NOTE—Contn. sheet

(2

G. R. S. III-2]

WD 2310—GPE—10,000—31-5-24

General and Revenue Secretariat | C.S File No. 24 of 1923.

Serial No.

L. & L. Secr. with compts. for favour of opinion as to the amount for which the bill might be passed &c

9/8/23

I have scrutinized the bill. The Government Advocate has charged Rs.100 per day for actually conducting the case.

23 days spent in examining witnesses (item No.3)

7 days in arguing and watching the arguments on the other side (item No.5)

---

30 days at Rs.100 = Rs.3,000 0 0

Under Rule 35(2)(a) (Flag D), Government Advocate is ordinarily entitled to a fee not exceeding Rs.25 a day. In cases of exceptional importance and difficulty he may be given more than Rs25 a day. I have submitted a note on this case giving out the lines on which the prosecution should be conducted. The case depends mostly on documentary evidence and is not an extremely difficult one to conduct. It has dragged on for a considerable length of time.

Having regard to all these circumstances a fee of Rs40 a day may, in my opinion, be fairly awarded.

I may add that in connection with the Municipal double murder case, the 1st Member allowed Rs.30 a day recently to the Public Prosecutor. The rules generally provide Rs.25 per day to Government Advocate and Rs.16 to the Public Prosecutor. Taking this standard Rs.40 a day seems reasonable.

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. C B File No. 29 of 1938.

Serial No.	
	The amount for items 3 & 5 works out @ 30 x 40 = Rs.1200
	Regarding item No.1, he has charged Rs.100 for filing a complaint at Mysore. Under Rule 35(2)(a) no fee is allowed for presenting an application nor studying the records. Under Rule 37, he is entitled to Travelling Allowance for acting on behalf of Government in a place other than Headquarters. Hence he is only entitled to Travelling Allowance under the rules for item No.1. Instead of T.A. a sum of Rs.30 may, perhaps, be allowed.
	Item No.2. This relates to two adjournments The fee per day should strictly be limited to Rs.5 per day (Vide Rule 35 (2) (a)) Thus he is entitled to Rs.10.
	Item No.4. This relates to local inspection. He is entitled to Travelling Allowance. But a lump sum of Rs.100 may perhaps be allowed. This includes Travelling allowance and his total attendance of 2 days. Thus he is entitled to Rs.100.
	Item No.6. He has charged Rs.50 for attending the Court to hear the order pronounced. It is difficult to understand why he charged Rs.50 for such an attendance. He is not entitled to any fee under the rules for he is not expected to conduct the case that day. Perhaps he may be allowed the ordinary fee of Rs.5/- just as in the case of adjournments as he has claimed a fee for such attendance. Ordinarily it is the duty of an Advocate to attend the Court to hear the order or judgment pronounced. No one thinks of charging any fee for such attendance.

Hence here draw T.A. separately

But he is already drawn T.A.

NOTE—Contn. sheet.

G. R. S. III-2]

244

General and Revenue Secretariat.

C.B File No. 29 of 19 23.

Serial No.

Thus the total sum he is entitled works out as follows:--

Item No.1 ...	Rs.30
Items Nos. 3 & 5	Rs. 1,200
Item No.2	Rs. 10
Item No.4	Rs. 100
Item No.6	Rs. 5
Total Rs.	1,345.

The Bill may perhaps be passed for this amount.

1356
13-8-24

Chief Sec'y with Compts (1st Memo) & Deeds

9.8

by 13/8

Mr. Gidney respectfully appeals against the first Rs. 50 may be allowed as costs of appearance.

Rs 50 may be allowed for pleader's Compts. questioning Mr. D. A.

Item No II. Rs 5 may be allowed as prepared by Mr. Asst Secretary

Item No IV Rs 100 may be allowed questioning Mr. D. A.

Item No VI Rs 25 may be allowed.

The Memo. have spent at least 2 hours in his tent.

by 10/8

8/8

Please write what allowed in his favour.

NOTE—Contn. sheet.

(5

244

G. R. S. III-2]

General and Revenue Secretariat. | C.B File No. 24 of 1927.

Serial No.

Resignation of Mr Ewart as member of Commission

Submitted with a draft letter

Mr 21.8.24 Dewan 22/8

We had fixed Rs 100 per day for the Commissioners & think we cannot pay more for trial. Public interest is very much involved in the speedy disposal of this reference

21/8

The file containing the papers relating to the grant of Rs 100 a day for services before the Commission is already put up. There are no references in C.B. to show that Govt agreed to pay any amount for trial: The First Member however has recorded in this file that "Rs 100 a day for a case of this kind is not much".

Submitted Mr 25.8.24

Flag C

1763 25.8.24 Letter to G.A. sent 29/8

Dewan 26/8 Secy 1st Member

NOTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat. | (B File No. 29 of 1923 | 244.

Serial No.	
	Rumcraft amending ℔ 2818
MMH	Draft submitted.
	Amt Mm 28.8.24.
	Imperial Express ℔ 2918
1965 29.8.	At member
	MW 30/8.
	Issue ℔ 3018.
3	G.O. No 554-60 & 1.9.24.
	Sanctions as a special case the bill amounting to Rs 3,370 the charge being met from the budget of the Electric Department.
B	

NOTE—Contn. sheet.

Confidential.

D. O.

Government Advocate's Office,
BANGALORE, 27th Aug. 1924.

Dear Mr. Sundara Rao,

Your D. O. letter No. M 44 of even date. There are no letters nor any other record about the promise of the Dewan to pay me Rs.100/- a day for conducting the Sivasamudram Case.

It was during a conversation at the Dewan's Bungalow, a short time before the filing of the complaint in the case, that the Dewan - himself was pleased to observe that it would be better to have a definite understanding about my remuneration and to ask me as to what I would expect. I replied that in British India, the - scale varied from Rs. 150/- to 250/- a day and that in other cases of a similar nature, Rs. 100/- a day had been paid to Mr. C. S. Doraswami Iyer and that during the Commission Enquiry in this very case, - Rs. 100/- a day had also been paid to me. He then

In reply please refer to
No. 158

Tel. Address:
"JURIST," Bangalore.

OFFICE OF THE GOVERNMENT ADVOCATE IN MYSORE

Bangalore.....1st August.....1924.

FROM

K. SHANKARANARAYANA RAO, ESQ., M.A., B.L.,
GOVERNMENT ADVOCATE IN MYSORE,
BANGALORE

To

K. MATTHAN, Esq., B.A.,
Chief Secretary to the Government
of H. H. the Maharaja of Mysore,
BANGALORE.

SIR,

With reference to Government Order No.2692-3/C.B.,29-23, dated the 20th February 1924, I have the honour to forward herewith for the sanction of Government, a Bill (duly countersigned by the Special First Grade Magistrate, Bangalore) for Rs.3,370/- only, being my remuneration for professional services rendered on behalf of Government, in connection with the Proceedings instituted before the Special First Grade Magistrate, Bangalore, against Messrs. S. D. S. Iyengar & B. R. Ramakrishna Iyengar, who have now been committed to the Sessions, after the completion of the enquiry before the said Magistrate, in Criminal Case No. 132 of 1923-24, on his file.

I may add that in addition to the work actually done in connection with the case in Court, in respect of which the Bill is prepared, I had to spend more than a month in taking instructions from the Chief Electrical Engineer and several other officers of Government, studying the connected papers, going through the Bills Etc., for preparing the Complaint Petition, and the time and trouble involved therefor have not been taken into account in preparing the enclosed Bill.

I have the honor to be,
Sir,
Your most obedient servant,

Government Advocate.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE .... Dr.

T o

K. SHANKARANARAYANA RAO, Esqr., M.A., B.L.,
Government Advocate in Mysore, BANGALORE.

My remuneration for professional services rendered on behalf of Government in Criminal Case No.132 of 1923-24 on the file of the Special First Grade Magistrate, Bangalore (S. D. S. Iyengar & another - Accused) as per details below.	Rs.3,370/-

Rupees THREE THOUSAND, THREE HUNDRED & SEVENTY only.

E. & O. E.,

Contents Received,

(Sd.) K. Shankaranarayana Rao,
Govt. Advocate.

Bangalore,
14th July 1924.

Details:--

P T O.

Details.

1.	21-2-1924. Complaint was filed before the Special First Class Magistrate, Mysore ...	Rs. 100	0	0
2.	17-3-1924 & 24-3-1924. On which the case was adjourned at the request of the Counsel for Defence.	20	0	0
3.	25th to 29th and 31st March 1924, 1st and 2nd, 7th and 8th, 14th, 15, 17th & 18th, 22nd to 24th and 26 April 1924, 5th to 9th May 1924. (Total 23 days - Evidence recorded).	2,300	0	0
4.	13th and 14th May 1924 - Local inspection at Sivasamudram - the journey to and fro and the inspection occupied two days. ..	200	0	0
5.	15th to 17th and 19th to 22nd May 1924 - Arguments addressed by both sides - Seven days. .	700	0	0
6.	31-5-1924. Order pronounced, - Charges framed against the Accused, and the accused committed to Sessions.	50	0	0
	Total ..	Rs. 3,370	0	0

Certified that the Government Advocate appeared before this Court and conducted the above case as per list enclosed herein.

(Sd.) S. Venkatakrishnayya,
Special First Grade Magistrate,
Bangalore,
30-7-24.

" C O P Y "

Details of adjournments in C.C112of 23-24 on the file of the Special First Grade Magistrate. Bangalore.

17-3-24 &24-3-24. Case was adjourned at the request of the counsel for the Defence.

25-3-1924to 29-3-1924
& 31-3-1924.

1-4-1924
2-4-1924.
7-4-1924
8-4-1924
14-4-1924
15-4-1924
17-4-1924
18-4-1924.
22-4-1924 to 24-4-1924
& 26-4-1924.
5-5-1924 to 9-5-1924

Examinations of Witnesses.

13-5-1924
14-5-1924.

Local inspection at Sivasamudram

15-5-1924 to 17-5-1924
19th to 22-5-1924

arguments

31-5-1924. Order pronounced, Charges framed against the accused and they were committed to sessions.

C Venkata Krishnayya

Special First Grade Magistrate.

BANGALORE.

30.7.24

G.R..S VI G 34]

SUBJECT....

Diary No. of letter replied to...

Section C.B
File No. 29-23
Serial No. 38

General and Revenue Secretariat

( )

, *the* *192*

Date of issue 1/9/1924

igned by Sri M. Venkatesa

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read—

Letter no 158 dated 4th Aug 1924 from the Govt Advocate submitting for sanction a bill for Rs 3370/- on account of his remuneration for professional services rendered on behalf of Govt in connection with the proceedings instituted before the Special Magistrate, First Grade, Bangalore, against S.D.S. Iyengar & B.R. Ramakrishna Iyengar in Criminal case no 132 of 1923-24.

Order ~~Thereon~~ No. SJ 1-60/C.B.29-23-38 Dt 1/9/24

The bill amounting to Rs 3,370 is sanctioned as a special case and forwarded to the Compltroller for audit & payment.

The charge will be met from the budget of the Electrical Department.

Chief Secretary.

The Compltroller with the bill
" Govt Advocate.
" Chief Electrical Engineer
" Secretary, P.W.D & Ed. Depts.

Sent 1/9/24.

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?